

**UNITED STATES DISTRICT COURT**

**DISTRICT OF NEW JERSEY**

**(609) 989-2040**

CHAMBERS OF

**TONIANNE J. BONGIOVANNI**

**UNITED STATES MAGISTRATE JUDGE**

**U.S. COURTHOUSE**  
402 E. STATE STREET, RM 6052  
TRENTON, NJ 08608

December 19, 2016

**LETTER ORDER**

**Re: Chaula S. Bhatt v. Joseph Fuentes, et al**  
**Civil Action No. 16-2081 (FLW)**

Dear Counsel and Ms. Bhatt:

Currently pending before the Court is VG Labs, Inc. (“VG Labs”) and Srinivas Guntuka’s (“Defendant Guntuka”) (collectively “Defendants”) motion to set aside default. (Docket Entry No. 36). Plaintiff Chaula S. Bhatt (“Plaintiff”) opposes Defendant’s motion. (Docket Entry No. 38).

Pursuant to Fed.R.Civ.P. 55(c), “the court may set aside an entry of default for good cause.” Defendants state that the “default was caused by Defendants being located outside the State of New Jersey and trying to find legal counsel.” (Defs.’ Letter Br. in Supp. of Mot. at 2). Defendant Guntuka notes that prior to obtaining counsel, he attempted to get an extension to answer but was not permitted to do so because he needed a New Jersey attorney to represent VG Labs. (Id.) Plaintiff argues that the “court should not allow continued breaking of all rules by defendants who have already broken multiple local Rules of Civ. Process by not answering the complaint on purpose in spite of timely service of summons upon them...” (Pl.’s Opp. at 1).

The Court finds that good cause exists to set aside the entry of default. Defendants’

motion to set aside default is GRANTED. Plaintiff's motion for Default Judgment is DENIED AS MOOT. Defendants are directed to file answers no later than **January 6, 2017**.

The Clerk of the Court is directed to terminate Docket Entry Nos. 23 and 36.

**IT IS SO ORDERED.**

/s/ Tonianne J. Bongiovanni  
**TONIANNE J. BONGIOVANNI**  
**United States Magistrate Judge**